

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11	
AMTROL HOLDINGS, INC., <i>et al.</i> <sup>1</sup>	:	Case No. 06-11446 (KG)	
Reorganized Debtors.	:	(Jointly Administered)	
	:	Related Docket Nos. 677 and 678	

08 - 282

**NOTICE OF APPEAL PURSUANT TO FEDERAL RULE  
OF BANKRUPTCY PROCEDURE 8001 AND 28 U.S.C. SECTION 158(a)(1)**

Amtrol Holdings, Inc., Amtrol Inc., and Amtrol International Investments Inc. (collectively, the “**Reorganized Debtors**”), by and through their undersigned counsel, hereby appeal under 28 U.S.C. §158(a)(1) from the Order and Memorandum Opinion of the United States Bankruptcy Court for the District of Delaware filed on April 1, 2008 [Docket Nos. 677 and 678].

The names of all parties to the Order and Memorandum Opinion appealed from, and the names, addresses and telephone numbers of their respective attorneys are as follows:

**Parties**

Amtrol Holdings, Inc., Amtrol, Inc.  
and Amtrol International Investments Inc.

**Counsel**

Stuart M. Brown  
William E. Chipman, Jr.  
R. Craig Martin  
Mark D. Olivere  
Edwards Angell Palmer & Dodge LLP  
919 N. Market Street, Suite 1500  
Wilmington, DE 19801  
(302) 777-7770 (telephone)  
(302) 777-7263 (fax)

<sup>1</sup> Additional Reorganized Debtors include all of Amtrol Holdings, Inc.’s wholly-owned direct and indirect domestic subsidiaries: Amtrol Inc.; Water Soft LLC (f/k/a/ Water Soft Inc.); and Amtrol International Investments Inc.

Stephen J. Maassen  
Hoagland, Fitzgerald, Smith & Pranaitis  
401 Market Street  
P.O. Box 130  
Alton, Illinois 62002

Kenneth Elder, Sr., Barbara Elder,  
L. H. Elder, by his mother and next  
Friend, and A. N. Elder; by her  
Mother and next friend

Patricia P. McGonigle  
Seitz, Van Ogtrop & Green, P.A.  
222 Delaware Avenue, Suite 1500  
P.O. Box 68  
Wilmington, DE 19899  
(302) 888-0600 (telephone)

Steven M. Wallace  
The Kunin Law Offices, LLC  
412 Missouri Avenue  
East St. Louis, IL 62201  
(618) 274-0434 (telephone)

Alan G. Pirtle  
The Rex Carr Law Firm, LLC  
412 Missouri Avenue  
East St. Louis, IL 62201  
(618) 274-0434 (telephone)

Dated: Wilmington, Delaware  
April 11, 2008

Respectfully submitted,

EDWARDS ANGELL PALMER & DODGE LLP

/s/ Mark D. Olivere  
Stuart M. Brown (No. 4050)  
William E. Chipman, Jr. (No. 3818)  
R. Craig Martin (No. 5032)  
Mark D. Olivere (No. 4291)  
919 North Market Street, Suite 1500  
Wilmington, Delaware 19801  
(302) 777-7770  
(302) 777-7263

*Counsel to the Reorganized Debtors*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re ) Chapter 11  
)  
AMTROL HOLDINGS, INC., *et al.*, ) Case No. 06-11446(KG)  
) (Jointly Administered)  
Reorganized Debtors. )  
\_\_\_\_\_ ) **Re: D.I. Nos. 442 and 577**

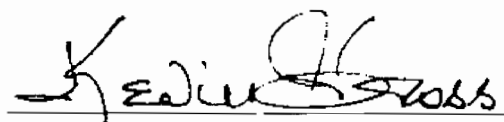
**08 - 282**

**ORDER**

The Court has carefully considered (1) the Reorganized Debtors' Third Omnibus Objection to Claims Pursuant to 11 U.S.C. § 502(b) and Fed.R.Bankr.P. 3007 [Books and Records - Substantive], dated June 27, 2007 ("the Claims Objection") (D.I. 442), applicable to the claims ("the Elder Claims") of Kenneth Elder, Sr. and Barbara Elder, jointly, L<sup>ts</sup> H. E. and A. N. E. ("the Elders"); and (2) the Elders' Motion for Abstention ("the Abstention Motion") (D.I. 577). For the reasons contained in the Court's Memorandum Opinion of even date, IT IS ORDERED that:

1. The Claims Objection is DENIED, and the Elder Claims are to be adjudicated on the merits.
2. The Abstention Motion is DENIED.
3. The matter is referred to the United States District Court for the District of Delaware to determine pursuant to 28 U.S.C. § 157(b)(5) whether the Elder Claims should be adjudicated in this District or the district court in the district in which the litigation underlying the Elder Claims is pending.

Dated: April 1, 2008



KEVIN GROSS, U.S.B.J.

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF DELAWARE

APPEAL TRANSMITTAL SHEET

08-282

Case Number: 06-11446 ☒ BK ☐ AP

If AP, related BK Case Number: \_\_\_\_\_

Title of Order Appealed:

Order Denying The Claims Objection and Denying the Abstention Motion

Docket Number: 678

Date Entered: 4/01/2008

Item Transmitted: ☐ Notice of Appeal

☐ Motion for Leave to Appeal

☐ Amended Notice of Appeal

☒ Cross Appeal

Docket Number: 682

Date Filed: 4/11/2008

\*Appellant/Cross Appellant:

Amtrol Holdings, Inc., et. al.

\*Appellee/Cross Appellee

The Elder Family ■

Counsel for Appellant:

William E. Chipman, Jr. ■

Counsel for Appellee:

Patricia P. McGonigle

Stuart M. Brown ■

Steven M. Wallace

Mark D. Olivere ■

Alan G. Pirtle

R. Craig Martin ■

Steven Maassen

*\*If additional room is needed, please attach a separate sheet.*

Filing Fee paid? ☒ Yes ☐ No

IFP Motion Filed by Appellant? ☐ Yes ☐ No

Have Additional Appeals to the Same Order been Filed? ☒ Yes ☐ No

If so, has District Court assigned a Civil Action Number? ☐ Yes ☒ No Civil Action # \_\_\_\_\_

Additional Notes:

Appellee's Designations Not Received For Cross Appeal

5/14/2008

Date

By: Anissa Cothran

Deputy Clerk

FOR USE BY U.S. BANKRUPTCY COURT

Bankruptcy Court Appeal (BAP) Number: 08-22

7/6/06